APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/830,098	04/23/2004	Tomomichi Obara	1081.1201	7523

21171   7590   03/28/2008
STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER
VU, TUAN A

ART UNIT	PAPER NUMBER
2193	

MAIL DATE	DELIVERY MODE
03/28/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/830,098	OBARA ET AL.
	Examiner	Art Unit	
	Tuan A. Vu	2193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>4/23/04</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-20</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-20</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☒ All b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>4/23/04</u>.
4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

<div align="center">DETAILED ACTION</div>

1.   This action is responsive to the application filed 4/23/2004.

      Claims 1-20 have been submitted for examination.

<div align="center">***Double Patenting***</div>

2.   The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

      A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

      Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3.   Claims 2, 12 are provisionally rejected under the judicially created doctrine of

obviousness-type double patenting as being unpatentable over claims 5, 12 of U.S. Patent No.

7,131,577 (hereinafter '577).

      Although the conflicting claims are not identical, they are not patentably distinct from

each other because of the following observations. Following are but a few examples as to how

the certain claims from the instant invention and from the above copending application are

conflicting with each other.

      As per instant claim 2, '577 claim 5 also recites Web server and performing guide

display, transaction operation including a display unit, a plurality of I/O units, a control unit

controlling the guide display of the screen content according to object embedded in said screen

content from the Web server, wherein the control unit calls method and controls sequence of said

plurality of I/O units for said method; wherein said control unit calls up a method for 'each

processing controlling the synchronization of said plurality of I/O units according to the script …

synchronization of said plurality of I/O units'. '577 Claim 5 recites interpreting a applet tag of an

embedded object, which might not be identical to instant claim 2 reciting of 'interpreting a script

of said object embedded in said screen content ... calls up a method for each processing …

controlling synchronization'; however, one of ordinary skill in the art would recognize that '577

claim 5 does contain an obvious language variation of instant claim 2 above teaching in '577

interpreting a tag of a applet interpreting a embedded object in said screen content.

   As per instant claim 12, this claim corresponds to instant claim 2, while '577 claim 12

corresponds to '577 claim 5; hence, '577 claim 12 would be an obvious variant of instant claim

12, based on the analysis as set forth above.

4.   Claims 2, 12 are provisionally rejected under the judicially created doctrine of

obviousness-type double patenting as being unpatentable over claims 3, 12 of copending Patent

Application No. 11,103,450 (hereinafter '450). Although the conflicting claims are not identical,

they are not patentably distinct from each other because of the following observations.

   As per instant claim 2, '450 claim 3 also recites Web server and performing guide

display, transaction operation including a display unit, a plurality of I/O units, a control unit

controlling the guide display of the screen content according to object embedded in said screen

content from the Web server; wherein said control unit calls up a method for *controlling* said

plurality of I/O units by the script embedded in said screen content, said unit comprising a

browser which interprets said script in processing units of the operation for synchronously

controlling said I/O units. Although '450 claim 3 recital of 'synchronously controls' might not

be identical to the 'synchronization' of instant claim 2, one of ordinary skill in the art would

recognize that '450 does contain an obvious language variation of instant claim 2 in terms of

'450 claim 3's processing a embedded object of script in screen content so as to provide said

controlling so that I/O operate synchronously.

As per instant claim 12, this claim corresponds to instant claim 2, while '450 claim 12

corresponds to '450 claim 3; hence '450 claim 12 would be an obvious variant of instant claim

12, based on the analysis as set forth above.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
> subsection of an application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

6.   Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Drummond et al,

USPN: 7,025,255 (hereinafter Drummond).

    As per claim 1, Drummond discloses an automatic transaction apparatus for

communicating with a Web server and performing guide display (e.g. Fig. 27) and a transaction

operation according to an operation of a user (e.g. Fig. 1), comprising:

        a display unit for performing said guide display (e.g. screen 30 – Fig. 2-3, 23-24; Fig.

27);

        a plurality of I/O units for performing said transaction operation (interfaces 36 – Fig. 2-

3); and

a control unit for controlling the guide display of the screen of said display unit

according to a screen content from said Web server (e.g. col. 20, line 55 to col. 21 line 3), and

controlling said plurality of I/O units according to objects embedded in said screen content (e.g.

Unit 12, Fig. 2-3; col. 10, lines 21-55 – Note: Java environment software 80, browser 76 and

script 82 reads on control unit within computer 34 and operating as control unit 12; col. 13 line

56 to col. 14),

wherein said control unit calls up a method for each processing (Fig. 26) of said

transaction operation for controlling the synchronization of said plurality of I/O units by a script

(e.g. col. 12, line 58 to col. 13 line 22; *embedded objects* – col. 56 to col. 14, line 13; Fig. 38;

transaction flow - col. 14, line 45 to col. 15 line 15; TSA 160, Fig. 26; *coordinate the operations*

- col. 38, lines 40-55 – Note: Java-based coordination of withdraw and deposit by a manager 160

reads on synchronizing; and event based type of processing – e.g. URL resolution from a card

insertion as I/O event -- with ensuing screen response reads on specific flow based

synchronously processing of event coordinated with yielding of timely response; col. 32 lines 10-

50) of said object, and

controls the synchronization of said plurality of I/O units (e.g. transaction flow - col. 14,

line 45 to col. 15 line 15; Sync 284 – Fig. 39; see col. 19 line 49 to col. 20, line 8).

As per claim 2, Drummond discloses wherein said control unit has a browser which

interprets a screen content from said Web server (e.g. *processed through the browser …*

instructing the customer - col. 13 line 56 to col. 14, line 2; Fig. 4; HTML document – col. 20,

line 55 to col. 21 line 3) and performs said guide display (e.g. col. 32 lines 10-50), and also

interprets a script (e.g. HTML document) of said object embedded in said screen content and

calls up a method for each processing of said transaction operation (e.g. Fig. 4; col. 33 line 32-49; *prompt a customer through operation* - col. 34 lines 1-6) for controlling the synchronization of said plurality of I/O units (e.g. col. 56 to col. 14, line 13), and controls the synchronization of said plurality of I/O units from said browser (e.g. Fig. 4; col. 32 lines 10-50).

      As per claim 3, Drummond discloses wherein said control unit transmits a request to said Web server according to a post request (col. 37 lines 3-18; *script ... backstage applet ... make requests .. available servers* - col. 38 lines 64 to col. 39, line 42; Fig. 5; col. 13, lines 40-51; col. 14, lines 3-10) by said called up method.

      As per claim 4, Drummond discloses wherein said control unit receives a screen content which has a screen creation program described by a page description language (e.g. col. 20, line 55 to col. 21 line 3; col. 13 lines 56-65), a script of said object, and a method program called up by said script (e.g. *HTML document ... embedded Java script... Java applet* -- col. 13 lines 56-65).

      As per claims 5-6, Drummond discloses wherein said control unit issues an operation command (e.g. col. 13, line 65 to col. 14 line 2) to said plurality of I/O units by said called up method (e.g. embedded Java applet - col. 13 lines 56-65), and receives a reply from said I/O units (e.g. *embedded Java script instructions ... cause dispense of currency* - Fig. 11 and related text); wherein said plurality of I/O units comprises at least a cash processing unit and a card processing unit (e.g. col. 15 lines 38-44; col. 17 line 17 to col. 18, line 5).

      As per claim 7, Drummond discloses wherein said control unit specifies said plurality of I/O units for which synchronization is controlled by said method according to input parameters (e.g. *HTML document ... address data and/or other parameters* - col. 26, lines 27-41;

. *embedded Java script instructions … cause dispense of currency* - Fig. 11 and related text –

Note: instructions prompting user to enter PIN or to get dispensed currency reads on specifying

which I/O unit under control by the underlying embedded Java Script calls) attached to said

script.

   As per claim 8, Drummond discloses wherein said browser creates said guide screen by

a screen creation program described by a page description language (col. 20, line 55 to col. 21

line 3; col. 13 lines 56-65) of said screen content, calls up said method program from the script

of said object (e.g. *HTML document … embedded Java script… Java applet* -- col. 13 lines 56-

65), and controls the synchronization of said plurality of I/O units (Fig. 11).

   As per claim 9, Drummond discloses wherein said browser creates said guide screen by

a screen creation program described by the page description language of said screen content (e.g.

col. 28 line 47 to col. 29, line 5 – Note: scenario including repetitive processing of server-sent

documents/pages for a foreign currency request with underlying applet invocations reads on

screen by screen creation program described by received pages), calls up a method program of an

applet from said applet specification (e.g. *HTML document … embedded Java script… Java

applet* -- col. 13 lines 56-65; col. 27, lines 45-48) and method specification of the script of said

object, and controls the synchronization of said plurality of I/O units (refer to claim 5).

   As per claim 10, Drummond discloses wherein said browser issues an operation

command to (col. 13, line 65 to col. 14 line 2; Fig. 11 and related text) a plurality of I/O

controllers for controlling each of said I/O units by said called up method, and receives a reply

from said I/O controllers (refer to claim 5).

   As per claim 11, Drummond discloses an automatic transaction system comprising:

a Web server; and an automatic transaction apparatus which is connected to said Web server via a network for communicating with said Web server and performing guide display and a transaction operation according to an operation of a user (e.g. Fig. 1; Fig. 3-4), wherein said automatic transaction apparatus comprises:

a display unit for performing said guide display (refer to claim 1);

a plurality of I/O units for performing said transaction operation; and

a control unit for controlling the guide display of the screen of said display unit according to a screen content from said Web server (refer to claim 1), and controlling said plurality of I/O units according to objects embedded in said screen content (refer to claim 1), and

wherein said control unit calls up a method for each processing of said transaction operation for controlling the synchronization of said plurality of I/O units by a script of said object(refer to claim 1), and controls the synchronization of said plurality of I/O units (refer to claim 1).

As per claims 12-20, these claims correspond to claims 2-10, respectively, hence will incorporate the corresponding rejection as set forth therein.

Conclusion

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan A Vu whose telephone number is (571) 272-3735. The examiner can normally be reached on 8AM-4:30PM/Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lewis Bullock can be reached on (571)272-3759.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-3735 (for non-official correspondence - please consult Examiner before using) or 571-273-8300 (for official correspondence) or redirected to customer service at 571-272-3609.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Tuan A Vu/

Primary Examiner, Art Unit 2193

March 25, 2008